REMARKS/ARGUMENTS

Please note that a Petition for Extension of Time under 37 CFR 1.136(a) (for two months) and the appropriate fee have been filed with this Amendment/Reply.

Claims 1-4, 8, 10-20, and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over "The Digital Magazine of InfoVis.net: Focus + Content" by Juan C. Dursteler ("Dursteler") in view of United States Patent Application Publication No. 2003/0179237 by Nelson et al. ("Nelson"). In addition, Claims 5-7, 9, 21, and 23-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of Dursteler and further in view of "Presentation for CGDI Workshop - May 2002" by Idelix Software Inc. ("CGDI"). Furthermore, Claims 25-33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over CGDI in view of Dursteler.

The Applicant notes that the Examiner has not cited any new prior art but has changed his arguments with respect to Nelson significantly with respect to Claim 1. The Applicant also notes that the Examiner has not addressed the Applicant's previously submitted arguments with respect to the patentability of Claim 25 in any way.

Claim 1 has been amended with a view to better defining the invention. No new matter has been entered by these amendments. Consequently, the Examiner is respectfully requested to consider the amended claims in view of the following comments.

Claim 1

For reference, amended Claim 1 recites the following:

> 1. (Currently Amended) A method for positioning a selected object in an original image for display on a display screen, comprising:
>
> distorting said original image to produce a distorted region for said object, said object being positioned at an initial position within said original image, said distorted region including magnification of at least a portion of said object;
>
> receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image;

receiving a signal for dropping said object at said desired position, whereby said distorted region with said magnification facilitates accurate positioning of said object at said desired position; and,

removing said distorted region from said original image after said dropping of said object.

On pages 4-6 of the Office Action the Examiner cites a combination of Dursteler and Nelson against previous Claim 1 stating (underling added):

"As to independent claim 1, Dursteler describe(s): distorting the original image to produce a distorted region for the object being positioned at an initial position within the original image ('...distortion of the periphery...,' p. 1), the distorted region including magnification of at least a portion of the object ('...of the zone of constant magnification...,' p. 1); receiving a signal for dragging the object with the distorted region from the initial position ('...placing a lens...,' p.1), to a desired position within the original image (see the 'Move Lens' mouse signal indicator in bottom left-hand side figure on p.1); and, receiving a signal for dropping the object at the desired position (see the 'Place Lens' mouse signal indicator in bottom left-hand side figure on p. 1), whereby the distorted region with the magnification facilitates accurate positioning of the object at the desired position ('...so that we have higher accuracy and control in the center of the lens...' p. 1)."

"Notwithstanding several suggestions therein, Dursteler does not expressly teach that the method for positioning a selected object in an original image is done through the lens. It would have been obvious to one or ordinary skill in the art, at the time the invention was made, to have adjusted the distortion through a GUI overlay because Nelson et al. is directed toward the same field of endeavour of Dursteler: 'display information within a confined display area' (Nelson et al., para [0002]) so that one can 'view, manipulate, and otherwise manage information' (Nelson et al., para. [0002]). Furthermore, to the same particular problem sought to be solved, ('According to another aspect, the invention comprises a graphical user interface ('GUI') which includes a graphical display surface, and a graphical object, displayable on the graphical display surface [i.e. lens], wherein the graphical object

may be manipulated in a non-uniform manner.' para. [0014]). Still further, Dursteler expressly suggests that it is desirable to use its interface with layers ('...to make appear new information layers depending on the magnification at a particular point...' pp. 1) as reciprocated in Nelson et al. ('...objects may be attached at a corner, at a point along the edge, at an interior point, at multiple points, continuously along an edge, throughout a specified region, any combination of the above, or across the entire object...if an object is attached at one corner, lifting, folding, etc. may occur at the far corners of the object.' para. [0088]-[0089])."

For reference, the selection from page 1 of Dursteler cited by the Examiner above, recites the following:

"...PDT has a similar effect to placing a lens in front of the image or document that we want to look at. This lens, unlike the conventional ones, has a portion of the same that reduces the magnification gradually until you reach 0...This way the centre of the lens show us the detail of what is of our interest while the distortion of the periphery creates a deformed transition that allows us to see the context without losing information...The advantages of a digital lens like this lie in the fact that the magnification, the size and shape of the whole lens and of the zone of constant magnification, the type of distortion, are all easily configurable parameters. This way we can customize a lens that comprehends the properties of zoom scroll pan, and separate views..."

For reference, paragraphs 0002, 0011, 0014, 0050, 0051, 0053, 0088, and 0089 of Nelson, cited by the Examiner above, recite the following (the abstract and paragraphs 0012-0013, 0052, and 0054-0057, and 0087 added for context, underlining added):

"**Abstract**...A Graphical User Interface ("GUI") that provides a user with the ability to manipulate display objects in a non-uniform manner on a display surface is provided. <u>For example, a user can manipulate an object so that it appears, torn, bent, folded, angled, etc.</u> Additionally, a method and system for digitally attaching display objects to a display surface

is described. The attachments include digital staples, digital push-pins, digital tape, etc. In still another aspect of the present invention a technique for transmitting and updating the display of non-uniform objects is described."

"**[0002]** The use of computer systems and software programs to obtain, view, manipulate, and otherwise manage information has become an aspect of every day life. Due to limited display area, there has been an increasing desire to better organize and display information within a confined display area. Current techniques for organizing the display of information, and to generally simplify the use of computer programs in general, are frequently referred to as a Graphical User Interface ('GUI'). Current GUIs typically utilize some type of a control device, such as a mouse, or touch sensitive screen, to manipulate text, images, and other objects on a display screen. These objects may include icons, windows, menus, and other images which are frequently displayed through the use of computer programs."

"**[0011]** One of the drawbacks of currently existing GUIs, such as the ones described above, is that the each have the implicit design assumption of arranging display objects with regularity: tiled, windowed, squares, rectangles, etc. Accordingly, it would be an advancement in the art to provide a system and method which allows objects to be arranged, displayed, and manipulated in a non-uniform manner."

"**[0012]** Roughly described, the present invention provides a system and method for allowing a user to manipulate display objects in a GUI in anon-uniform manner. Several different examples of such manipulation, such as tearing, folding, or bending a display object, are described herein in detail."

"**[0013]** According to an aspect of the invention, a method for altering the visual appearance of a graphical object is provided. The method includes the steps of assigning a property to the graphical object, receiving an input, altering the graphical object responsive to the input and based on the property, and displaying the altered graphical object."

"**[0014]** According to another aspect, the invention comprises a graphical user interface ('GUI') which includes a graphical display surface, and a graphical object, displayable on the graphical display surface, wherein the graphical object may be manipulated in a non-uniform manner."

"**[0050]** According to an embodiment of the invention, image transformations are used in conjunction with interaction capabilities, such as clipping, digital material processing **701**, direct manipulation management **702**, and external interaction management **703**, as will be described in detail below to perform various features and capabilities of the present invention. These image transformations may be applied based on dynamic user input or other dynamic processes, such as simultaneous programs or other autonomous agents."

"**[0051]** Examples of image transformations include, but are not limited to, automatic border removal, bulge, contrast, curl page, cut, cut and paste, edge detection, edge enhancement, fish eye, holes, increased/decreased colors, invert, mesa, mosaic, radial, rectangular, reflowing, rotate by degree, segmentation, shading, shadowing, sharpen, stretching and shrinking, tile, transition effects, transparency, vortex, warping, wave, and zoom."

"**[0052]** Direct Manipulation Management"

"**[0053]** One example of direct manipulation management **702** is the creation of irregular, non-uniform edges on a displayed object. Creation of irregular edges includes displaying objects with an appearance of rough-edged material, torn edges, edges that have been lifted off the posting surface, etc."

"**[0054]** An object with a rough or torn edge is formed by clipping the object along a geometric path and applying transformation such as edge detection and enhancement, and shadow generation. An example of an object with a rough or torn edge is illustrated in FIG. 8A. In FIG. 8A, object **801** includes a buddy list **802**. Object **801** has been 'torn' and represented with an irregular edge **803**. By not displaying a portion of object **801** (often an

un-important portion), another object **805** which includes other information may be simultaneously viewed."

"**[0055]** User interactions that result in an object appearing as torn or with a rough edge **803** include dragging a mouse or other pointing input device along a path, clicking a path or other pointing input device at predefined or user-selected cut points, selection of a rough-edged or torn material (that then acts as a visual mask or template for the display object), selection of a segmentation algorithm such as a white space detection that specifies a rough edge, or selection from a set of predefined randomly-generated masks."

"**[0056]** FIG. 8B illustrates an example of an object **809** with a lifted edge **807.** Displaying object **809** with a lifted edge **807** may be formed by clipping object **809** along a geometric shape (curve, polygon, etc.) and applying a transformation such as content warping, edge detection and enhancement, and shadow generation. Object **809** may include important information, such as a buddy list **810**. Object **809** is displayed as being lifted up from a window **811**, thereby displaying the content of window **811** and the object **809** with the buddy list **810** simultaneously."

"**[0057]** User interactions that result in an object appearing with a lifted edge include dragging a mouse or other pointing input device in a gesture (e.g., inward from an edge, corner, or any designated lifting point or user interface control designed for that purpose), or selection of a predefined animation algorithm that effects a lifting transformation."

"**[0087]** Placement of Attachment"

"**[0088]** Attachment of display objects in a GUI according to an embodiment of the present invention may happen in a variety of ways. Where a display object gets attached determines the kinds of direct manipulation that may most easily be applied to the object. For example, objects may be attached at a corner, at a point along the edge, at an interior point, at multiple points, continuously along an edge, throughout a specified region, any combination of the above, or across the entire object."

"**[0089]** The degree of freedom of interaction is constrained at the point of attachment according to a predefined set of rules. For example, if an object is attached at one corner, lifting, folding, etc. may occur at the far corners of the object."

For reference, FIGS. 8A and 8B from Nelson are reproduced below.

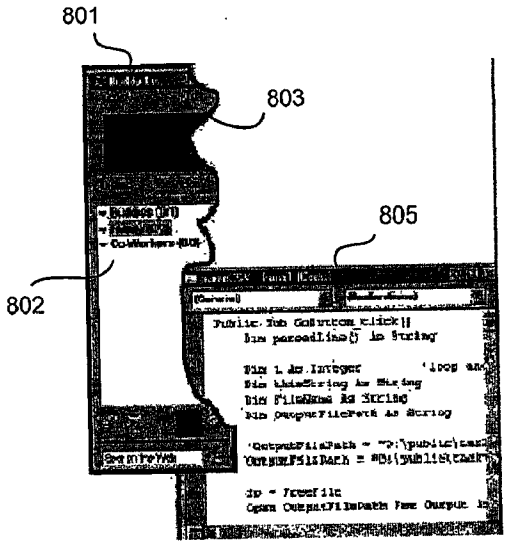

801
803
805
802

FIG. 8A

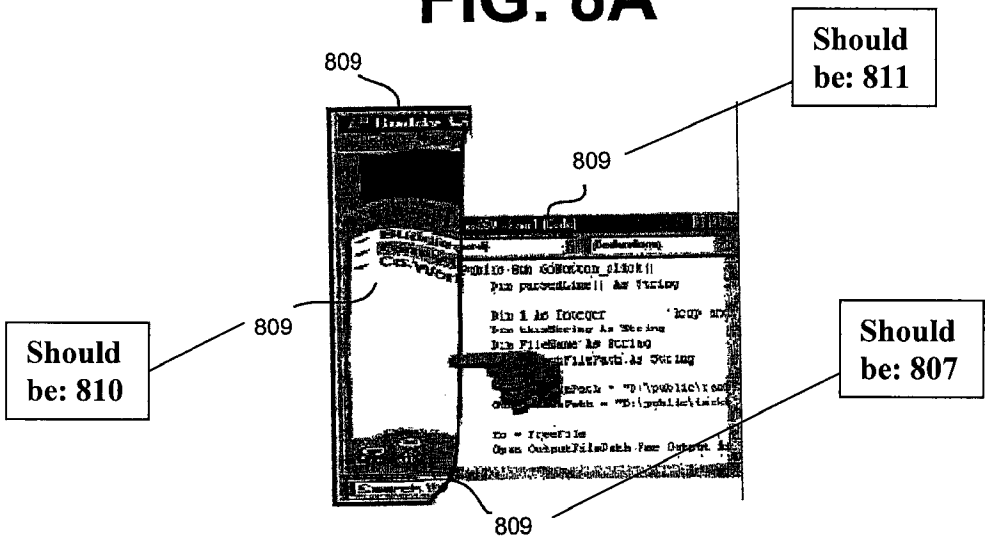

Should be: 811
809
809
Should be: 810
809
Should be: 807
809

FIG. 8B

In addition, on pages 15-17 of the "Response to Arguments" section of the Office Action, the Examiner provides reasons for the rejection of the arguments that the Applicant presented in the Applicant's previous Amendment/Reply of July 16, 2007 as follows (underlining added):

> "In response to the applicant's arguments against Dursteler and Nelson et al., individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. More specifically, Nelson et al., was the reference that taught, the direct manipulation features that applicant is now arguing Dusteler lacks. This holds true for the, first through fourth, points of applicants argument."
>
> "Applicant argues, 'Fifth, given the fourth comment above, the Examiner has not provided an adequate reason for combining Dursteler and Nelson'...In response the examiner respectfully submits:...Even though Dursteler does not expressly teach that the method for positioning a selected object in a original image is done through the lens, Nelson et al. teaches the claimed editing via direct manipulation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the editing method taught in Nelson et al. with the lens taught in Dursteler because selecting objects (para. [0053]) in images is recognized by Nelson et al. to be advantageously suitable for use with drag and drop (i.e., direct manipulation management; para. [0050]). Further more, the type of transforms taught by Nelson et al ('fish eye', para. [0051]) is exactly same as the one used in Dursteler. Still further, one skilled in the art, having common knowledge and common sense, would reasonably be expected to draw the inference from Nelson et al. that the transformation can be applied dynamically via a lens ('These image transformations may be applied based on dynamic user input or other dynamic processes, such as simultaneous programs or other autonomous agents.,' para. [0050]). Especially in view of the motivation for an '...advancement in the art to provide a system and method which allows objects to be arranged, displayed, and manipulated in a non-uniform manner....,' (para. [0011])."

For reference, the five arguments presented by the Applicant in the Applicant's Amendment/Reply of July 16, 2007 were as follows:

"First, with respect to the step of 'receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image' as recited in amended Claim 1, the selection from Dursteler cited by the Examiner simply describes elements of a graphical user interface for adjusting a lens (i.e., a distorted region) that has been applied to an original image (e.g., the left hand images of the skull and the space shuttle). Dursteler does not teach or suggest the dragging of an object in the original image to which a lens has been applied as the Examiner suggests. The 'Move Lens' icon in Dursteler is for moving the lens to a new position in the original image while displaying the entire lens during movement. The 'Move Lens' icon of Dursteler cannot be used to move an object in the original image. This icon is fully described in the Applicant's United States Patent No. 7,197,719. As such, Dursteler does not teach or suggest that element of amended Claim 1 that recites: 'receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image'."

"Second, with respect to the step of 'receiving a signal for dropping said object at said desired position' as recited in amended Claim 1, the selection from Dursteler cited by the Examiner does not teach or suggest the dropping of an object in the original image to which the lens has been applied as the Examiner suggests. The 'Place Lens' icon in Dursteler is for moving the lens to a new position in the original image while displaying just the perimeter of the lens during movement. The 'Place Lens' icon of Dursteler cannot be used to drop an object in the original image. Again, this icon is fully described in the Applicant's United States Patent No. 7,197,719. As such, Dursteler does not teach or suggest that element of amended Claim 1 that recites: 'receiving a signal for dropping said object at said desired position'."

"Third, Dursteler does not teach or suggest that element of previous Claim 1 that recites: 'whereby said distorted region with said magnification facilitates accurate positioning of said object at said desired position'. Dursteler does not teach accurate positioning of an object in the original image. All Durstelter teaches is application of a lens to an original image or an object in the original image."

"Fourth, the Examiner states: 'Nelson et al. teaches a method for positioning a selected object in an original image for display on a display screen ('...moving the object into view...,' para. [0072]).' However, what paragraph 0072 of Nelson actually teaches is the extension of objects (i.e., windows) beyond the display area on a screen followed by reintroduction of the objects to the display area. Paragraph 0073 of Nelson (reproduced above) teaches that the objects are reintroduced by including an 'interaction point' on each object that when selected 'will bring that object permanently or temporarily into view'. Thus, Nelson does not pertain to accurate positioning of objects by drop and drag operations. As such, Nelson does not teach or suggest any of those elements of amended Claim 1 that recite: 'distorting said original image to produce a distorted region for said object, said object being positioned at an initial position within said original image, said distorted region including magnification of at least a portion of said object'; 'receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image'; and, 'receiving a signal for dropping said object at said desired position, whereby said distorted region with said magnification facilitates accurate positioning of said object at said desired position'."

"Fifth, given the fourth comment above, the Examiner has not provided an adequate reason for combining Dursteler and Nelson."

First: With respect to the Examiner's comments in the "Response to Arguments" section of the Office Action concerning the Applicant's first four arguments above, the Applicant respectfully submits that the Examiner is incorrect. If a claim includes an element "A" and an element "B" and if the Examiner argues that prior art item "1" teaches element "A" and prior art item "2" teaches element "B", then the Examiner's obviousness argument may be traversed by showing that prior art item "1" does not teach element "A". This is what the Applicant did in the Applicant's Amendment/Reply of July 16, 2007.

Second: On pages 4-5 of the Office Action the Examiner has rejected previous Claim 1 under 35 U.S.C. 103(a) as being unpatentable over "The Digital Magazine of InfoVis.net: Focus + Content" by Juan C. Dursteler ("Dursteler") in view of United States Patent Application Publication No. 2003/0179237 by Nelson et al. ("Nelson"), stating (underlining added):

> "As to independent claim 1, Dursteler describe(s): distorting the original image to produce a distorted region for the object being positioned at an initial position within the original image ('...distortion of the periphery...,' p. 1), the distorted region including magnification of at least a portion of the object ('...of the zone of constant magnification...,' p. 1); receiving a signal for dragging the object with the distorted region from the initial position ('...placing a lens...,' p.1), to a desired position within the original image (see the 'Move Lens' mouse signal indicator in bottom left-hand side figure on p.1); and, receiving a signal for dropping the object at the desired position (see the 'Place Lens' mouse signal indicator in bottom left-hand side figure on p. 1), whereby the distorted region with the magnification facilitates accurate positioning of the object at the desired position ('...so that we have higher accuracy and control in the center of the lens...' p. 1)."

The Examiner's above quoted arguments with respect to Claim 1 do not refer to the wording of Claim 1 appearing in the Applicant's Amendment/Reply of July 16, 2007. Rather, the Examiner's arguments refer to the wording of Claim 1 appearing in the Applicant's Amendment/Reply of February 14, 2007. The Examiner has based his rejection on the wrong version of Claim 1. As such, the Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness against Claim 1 under 35 U.S.C. 103(a).

Third: With respect to the step of "receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image" as recited in Claim 1, the selection from Dursteler cited by the Examiner simply describes elements of a graphical user interface for adjusting a lens (i.e., a distorted region) that has been applied to an original image (e.g., the left hand images of the skull and the space shuttle). Dursteler does not teach or suggest the dragging of an object in the original image to which a lens has been applied as the Examiner suggests. The 'Move Lens' icon in Dursteler is for moving the lens to a new position in the original image while displaying the entire lens during movement. The 'Move Lens' icon of

Dursteler cannot be used to move an object in the original image. This icon is fully described in the Applicant's United States Patent No. 7,197,719. As such, Dursteler does not teach or suggest that element of Claim 1 that recites: "receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image".

Fourth: With respect to the step of "receiving a signal for dropping said object at said desired position" as recited in Claim 1, the selection from Dursteler cited by the Examiner does not teach or suggest the dropping of an object in the original image to which the lens has been applied as the Examiner suggests. The 'Place Lens' icon in Dursteler is for moving the lens to a new position in the original image while displaying just the perimeter of the lens during movement. The 'Place Lens' icon of Dursteler cannot be used to drop an object in the original image. Again, this icon is fully described in the Applicant's United States Patent No. 7,197,719. As such, Dursteler does not teach or suggest that element of Claim 1 that recites: "receiving a signal for dropping said object at said desired position".

Fifth: With respect to that element of Claim 1 that recites "whereby said distorted region with said magnification facilitates accurate positioning of said object at said desired position", Dursteler does not teach accurate positioning of an object in the original image. All Durstelter teaches is application of a lens to an original image or an object in the original image. As such, Dursteler does not teach or suggest that element of Claim 1 that recites: "whereby said distorted region with said magnification facilitates accurate positioning of said object at said desired position".

Sixth: Therefore, Dursteler does not teach or suggest those elements of Claim 1 that recite: "receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image"; "receiving a signal for dropping said object at said desired position"; and, "whereby said distorted region with said magnification facilitates accurate positioning of said object at said desired position". As such, and as Nelson has not been cited against the same elements of Claim 1 that Dursteler has been, the Examiner's combination of Dursteler and Nelson does not teach or suggest the subject matter of Claim 1. Consequently, the Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness against Claim 1 under 35 U.S.C. 103(a).

Seventh: On page 5 of the Office Action the Examiner states the following (underlining added):

> "Notwithstanding several suggestions therein, Dursteler does not expressly teach that the method for positioning a selected object in an original image is done through the lens. It would have been obvious to one or ordinary skill in the art, at the time the invention was made, to have adjusted the distortion through a GUI overlay because Nelson et al. is directed toward the same field of endeavour of Dursteler: 'display information within a confined display area' (Nelson et al., para [0002]) so that one can 'view, manipulate, and otherwise manage information' (Nelson et al., para. [0002])."

However, in the above selection, the Examiner does not state which element of Claim 1 is taught or suggested by Nelson. The limitation "the method for positioning a selected object in an original image is done through the lens" does not appear in Claim 1. As such, the Examiner's combination of Dursteler and Nelson does not teach or suggest the subject matter of Claim 1. Consequently, the Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness against Claim 1 under 35 U.S.C. 103(a).

Eighth: On page 16 of the Office Action the Examiner states (underlining added):

> "Even though Dursteler does not expressly teach that the method for positioning a selected object in a original image is done through the lens, Nelson et al. teaches the claimed editing via direct manipulation."

Again, the Examiner does not state which element of Claim 1 is taught or suggested by Nelson. The limitation "the method for positioning a selected object in an original image is done through the lens" does not appear in Claim 1. As such, the Examiner's combination of Dursteler and Nelson does not teach or suggest the subject matter of Claim 1. Consequently, the Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness against Claim 1 under 35 U.S.C. 103(a).

Ninth: With respect to Nelson, the Applicant notes that the Examiner has dropped his previous

citation of paragraph 0072 and has introduced new citations, namely, paragraphs 0050-0051, 0053, and 0088-0089. These paragraphs are reproduced above. Paragraphs 0052 and 0054-0057 which provide context for paragraph 0053 are also reproduced above as are FIGS. 8A-8B to which they refer.

As mentioned above, one problem with the Examiner's argument on pages 5-6 of the Office Action with respect to Nelson is that the Examiner does not specifically state which element or elements of Claim 1 that Nelson teaches. For example, on page 5 of the Office Action the Examiner states (underlining added):

> "Notwithstanding several suggestions therein, Dursteler does not expressly teach that the method for positioning a selected object in an original image is done through the lens. It would have been obvious to one or ordinary skill in the art, at the time the invention was made, to have adjusted the distortion through a GUI overlay because Nelson et al. is directed toward the same field of endeavour of Dursteler: 'display information within a confined display area' (Nelson et al., para [0002]) so that one can 'view, manipulate, and otherwise manage information' (Nelson et al., para. [0002]).

In addition, on page 16 of the Office Action the Examiner states (underlining added):

> "Even though Dursteler does not expressly teach that the method for positioning a selected object in a original image is done through the lens, Nelson et al. teaches the claimed editing via direct manipulation."

From these selections, the Applicant believes that the Examiner may be arguing that the "direct manipulation management" of Nelson teaches that element of Claim 1 that recites: "receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image".

However, with respect to paragraphs 0050-0057 of Nelson, it would appear that "direct manipulation management" refers to the "the creation of irregular, non-uniform edges on a displayed object" (see

paragraph 0053). The "capability" to perform "direct manipulation management" is shown as item **702** in block diagram FIG. 7 of Nelson.

Paragraph 0054 of Nelson states that an "object with a rough or torn edge is formed by clipping the object along a geometric path and applying transformation such as edge detection and enhancement, and shadow generation". The result, as shown in FIG. 8A, is an object **801** with a rough or torn edge **803**. The object **801** is then displayed over and to one side of a second object **805**. Paragraph 0054 states: "By not displaying a portion of object **801** (often an un-important portion), another object **805** which includes other information may be simultaneously viewed." The two objects **801, 805** are not part of the same original image. In FIG. 8A, torn object **801** is a portion of a buddy list window while overlaid objection **805** is a text window. The method used to produce the presentation shown in FIG. 8A is described in paragraph 0055 of Nelson. This method does not include drag and drop operations. That is, object **801** is not selected from object **805**. Rather, objects **801** and **805** are two separate presentations. The purpose of generating torn object **801** is so that when it is overlaid on object **805**, a larger portion of object **805** may be viewed. The torn edge **803** simply makes it obvious to the user that object **801** is missing a portion.

Similarly, paragraph 0056 of Nelson states: "Displaying object **809** with a lifted edge **807** may be formed by clipping object **809** along a geometric shape (curve, polygon, etc.) and applying a transformation such as content warping, edge detection and enhancement, and shadow generation." The result, as shown in FIG. 8B, is an object **809** with a lifted edge **807**. The object **809** (e.g., a buddy list window) is then displayed over and to one side of a second object **811** (e.g., a text window). Paragraph 0056 states: "Object **809** is displayed as being lifted up from a window **811**, thereby displaying the context of window **811** and the object **809** with the buddy list **810** simultaneously." The method used to produce the presentation shown in FIG. 8B is described in paragraph 0057 of Nelson. Again, this method does not include drag and drop operations. That is, object **809** is not selected from object **811**. Rather, objects **809** and **811** are two separate presentations. The purpose of generating lifted edge object **809** is so that when it is overlaid on object **811**, a larger portion of object **811** may be viewed. The lifted edge **807** simply makes it obvious to the user that object **809** is missing a portion.

Note that in FIG. 8B of Nelson that there are four "**809**" items. These are typographical errors. The reproduction of FIG. 8B included above has corrections noted on it.

Thus, paragraphs 0050-0057 of Nelson do not teach or suggest that element of Claim 1 that recites: "receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image".

Tenth: With respect to paragraph 0088-0089 of Nelson which the Examiner also seems to cite against that element of previous Claim 1 that recites, "receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image", it is apparent that these paragraphs describe, in general terms, where an object **801**, **809** with a torn or lifted edge **803**, **807** is to be placed on a display. In FIGS. 8A and 8B, the objects **801**, **809** are placed along the left-hand side of the display so that underling objects **805**, **811** are visible on the right. Paragraph 0089 states: "The degree of freedom of interaction is constrained at the point of attachment according to a predefined set of rules. For example, if an object is attached at one corner, lifting, folding, etc. may occur at the far corners of the object." In other words, one wouldn't want to place object **801** on the right-hand side of the display because if one did so the torn edge **803** wouldn't mean as much to a user. Paragraphs 0088-0089 do not teach any form of drag and drop operation in which an object in a original image is moved about within that same original image. As such, paragraphs 0088-0089 of Nelson do not teach or suggest that element of Claim 1 that recites: "receiving a signal for dragging said object with said distorted region from said initial position to a desired position for said object within said original image".

Eleventh: The Applicant respectfully submits that the neither Dursteler nor Nelson, alone or in combination, teach or suggest that element of amended Claim 1 that recites: "removing said distorted region from said original image after said dropping of said object". This newly added limitation makes it clear that it is the object that is dragged and dropped, not just the lens, and that the lens is a tool used for accurate positioning rather than an end in itself.

Summary: As such, the Applicant believes that amended Claim 1 is patentable over Dursteler and Nelson as these references do not teach or suggest the subject matter of amended Claim 1. In addition, the Applicant believes that Claims 2-24, being dependent on amended Claim 1 and adding patentable features thereto, are also patentable over Dursteler and Nelson.

Claim 25

For reference, previous Claim 25 recites the following:

> 25. (Previously Presented) A method for generating a presentation of a region-of-interest within an original image for display on a display screen, comprising:
>
> displaying a toolbar within said original image and over said region-of-interest, said toolbar having means for selecting at least one parameter for adjusting a distortion function for said region-of-interest, said distortion function having a focal region with a magnification for said region-of-interest at least partially surrounded by a base region across which said magnification decreases to that of said original image;
>
> receiving a signal selecting said at least one parameter through said toolbar;
>
> transforming said original image with said distortion function as adjusted by said at least one parameter to produce said presentation; and,
>
> displaying said presentation on said display screen.

First: On pages 12-13 of the Office Action the Examiner provides arguments against the patentability of Claim 25. However, these arguments do not refer to the wording of Claim 25 appearing in the Applicant's Amendment/Reply of July 16, 2007. Rather, the Examiner's arguments refer to the wording of Claim 25 appearing in the Applicant's Amendment/Reply of February 14, 2007. The Examiner has based his rejection on the wrong version of Claim 25.As such, the Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness against Claim 25 under 35 U.S.C. 103(a).

Second: On pages 12-13 of the Office Action the Examiner cites a combination of CGDI and Dursteler against Claim 25 stating (underlining added by the Applicant):

> "As to dependent claim 25, CGDI teaches a method for a presentation of a region-of-interest on a display screen (see pp. 12), the region-of-interest comprising: displaying a toolbar over the region-of-interest with means for selecting a least one parameter for adjusting a distortion function the region-of-interest (see toolbar above, pp. 12, 14, and 15), the focal region (see toolbar above, pp. 12, 14, and 15), having an operable focal and base region (see toolbar above, pp. 12, 14, and 15); transforming the in accordance with a predetermined distortion function and the at least one parameter through the toolbar, the original image transformed (e.g. pp. 12, 14, and 15). CGDI does not show selecting the at least one parameter from the toolbar with a point device. Dursteler, teaches selecting the at least one parameter from the toolbar with a pointing device (mouse pointer icon for selecting parameters, pp. 1, see Figure towards bottom). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have used the mouse pointer shown in Dursteler with CGDI because both are directed toward identical Pliable Display Technology, being deployed in identical ways, for accomplishing identical objects, of identical problems."

In the screen captures shown on pages 12 and 14 of CGDI, a toolbar is displayed over a window containing a presentation in which a lens has been applied to a region-of-interest. The toolbar is not shown as being displayed over the region-of-interest in the presentation. To repeat, the toolbars shown on pages 12 and 14 of CGDI are simply displayed above a window. Similarly, in the screen capture shown on page 15 of CGDI, a toolbar is displayed over a window containing an original 3D image (i.e., of the bones of the foot). No region-of-interest is discernable on page 15. The toolbar is not shown as being displayed over a region-of-interest in the original image. To repeat, the toolbar shown on page 15 of CGDI is simply displayed above a window.

Thus, in none of pages 12, 14, and 15 of CGDI is a toolbar shown as being displayed over a region-of-interest within an original image. Rather, the toolbar shown on each of these pages is located over the window containing the original image. That is, the toolbar shown on each of these pages is not located within the original image.

As such, CGDI does not teach or suggest that element of Claim 25 that recites: "displaying a toolbar within said original image and over said region-of-interest".

Summary: As such, the Applicant believes that Claim 25 is patentable over CGDI and Dursteler as these references do not teach or suggest the subject matter of amended Claim 25. In addition, the Applicant believes that Claims 26-33, being dependent on Claim 25 and adding patentable features thereto, are also patentable over CGDI and Dursteler.

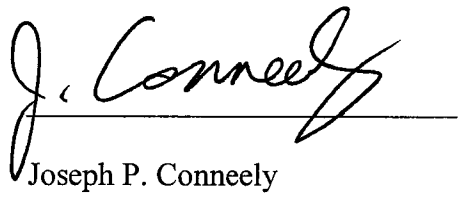
No new matter has been entered by the above noted amendments.

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

McCarthy Tétrault LLP

Date: February 25, 2008

By 

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